

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RISER FOODS COMPANY, a)	CIVIL ACTION NO. 2:08-CV-1657
Pennsylvania corporation,)	
)	JUDGE GARY LANCASTER
Plaintiff,)	
)	
vs.)	
)	
MICHAEL J. OCCHIONERO, an individual,)	
and WILSON MILLS LLC, an Ohio limited)	
liability company,)	
)	
Defendants.)	

STIPULATION OF DISMISSAL
WITHOUT COURT ORDER UNDER RULE 41(a)

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff and Defendants stipulate that the Complaint and Counterclaim in the above matter be dismissed without prejudice.

Respectfully submitted,

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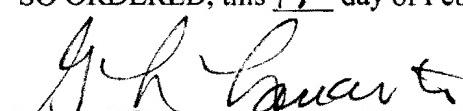
Counsel for Defendant/Counterclaimant

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2009, a copy of the foregoing Stipulation of Dismissal was filed electronically. Notice of the filing will be sent by the operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties who are not on the electronic filing receipt, if any, will be served by First Class U.S. Mail to the addresses below. Parties may access this filing through the Court's system.

/s/ Darlene M. Nowak

SO ORDERED, this 17 day of February, 2009.



Gary L. Lancaster, U.S. District Judge